))
) <u>CLERK'S CERTIFICATE</u>
) NO.: 07-CIV-8815
) HONORABLE) PAUL A. CROTTY
<u></u>

I, TMICHAELMENT Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on October 12, 2007, with the filing by Plaintiff of a Summons and Complaint and amending the Complaint by filing of a First Amended Complaint on November 2, 2007. A copy of the Summons and the First Amended Complaint was served on Defendant, pursuant to Section 303 of the Limited Liability Company Law, by personal service effectuated upon Carol Vogt, an officer at the NYS Department of State, Division of Corporations, and Affidavit of Service prepared by the process server was filed on January 17, 2008.

I further certify that the docket entries indicate that the defendant has not filed an Answer or otherwise moved with respect to the First Amended Complaint herein. The default of the Defendant is hereby noted.

Dated: New York, New York February 13, 2008

Clerk of the Court

Deputy Clerk